IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OKLAHOMA

1. KATRINA ROGERS,)
Plaintiff,)
vs.) Case No. 15-CV-114-GKF-FHM
1. ORS NASCO, LLC,)
Defendant.)

DEFENDANT'S NOTICE OF REMOVAL OF CIVIL ACTION

Defendant, ORS Nasco, LLC ("ORS"), timely files this Notice of Removal pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1441(a), (b), and (c) removing the above-captioned action from the District Court in and for Tulsa County, Oklahoma to the United States District Court for the Northern District of Oklahoma. In support of this Notice of Removal, Defendant states as follows:

Summary of State Court Proceedings

- 1. On February 6, 2015, Plaintiff Katrina Rogers filed her original Petition in the District Court of Tulsa County, Oklahoma styled *Katrina Rogers v. ORS Nasco, LLC*, Case No. CJ-2015-00527.
- 2. The summons issued to ORS was served on February 19, 2015. A copy of the state court docket sheet is attached hereto as Exhibit "1". A copy of the Petition and the process served on ORS is attached hereto as Exhibits "2."
- 3. Plaintiff filed her original Petition seeking to recover damages for employment discrimination in violation of Title VII for gender discrimination and discrimination in violation of the Oklahoma Anti-Discrimination Act, 25 O.S. §1101 et seq. ("OADA") and a state law claim for intentional infliction of emotional distress. [Petition, ¶¶19-24 Exhibit "2"]

- 4. Pursuant to 28 U.S.C. §1331 and §1441, this Court has original jurisdiction over Plaintiff's Title VII claim for gender discrimination, which arises under the laws of the United States. This Court further has jurisdiction over Plaintiff's remaining state law claim pursuant to 28 U.S.C. §1367.
- 5. This case is also removable pursuant to 28 U.S.C. § 1332 because the parties are citizens of different states and the amount in controversy exceeds \$75,000.00 as pled in Plaintiff's Petition. [Petition, pg. 5 Prayer for Relief, Exhibit "2"]\
- 6. Plaintiff is a citizen of the State of Oklahoma as pled in the Petition. [Petition, ¶ 1, Exhibit "2"]
- 7. Defendant, ORS Nasco, LLC, is a limited liability company with one member, United Stationers Supply Company ("United Stationers"). United Stationers is an Illinois corporation whose principal place of business is in Deerfield, Illinois.
- 8. This Notice of Removal is being filed within thirty days after receipt of the Petition as required by 28 U.S.C. §1446(b).
- 9. A copy of this Notice of Removal will be filed with the Clerk of the District Court in and for Tulsa County for the State of Oklahoma and served upon all adverse parties as required by 28 U.S.C. §1446(d).
- 10. All fees required by law in connection with this Notice have been paid by Defendant.
- 11. By virtue of this Notice of Removal, Defendant does not waive its right to assert any rights, claims or other motions, including Rule 12 motions, permitted by the Federal Rules of Civil Procedure or other applicable rules or laws.

WHEREFORE, for the above reasons, Defendant hereby gives Notice of Removal of the action pending in the District Court of Tulsa County, State of Oklahoma.

Respectfully submitted,

s/Kimberly Lambert Love

Kimberly Lambert Love, OBA #10879 Robyn M. Funk, OBA #19810 Titus Hillis Reynolds Love Dickman & McCalmon 15 E. 5th Street, Suite 3700 Tulsa, Oklahoma 74103

Phone: 918/587-6800 / Fax: 918/587-6822

Email: klove@titushillis.com

Attorneys for ORS Nasco, LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 10^{th} day of March 2015, I mailed a true and correct copy of the above and foregoing document via U.S. Mail to the following:

Daniel E. Smolen Lauren G. Lambright Smolen, Smolen & Roytman, PLLC 701 South Cincinnati Avenue Tulsa, Oklahoma 74119

s/Kimberly Lambert Love
Kimberly Lambert Love